

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE: PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESAL PRICE
LITIGATION

) MDL No. 1456
) Master File No. 1:01-CV-12257-PBS
) Sub-Category Case No. 1:08-CV-11200
)

THIS DOCUMENT RELATES TO:

*United States ex rel. Linnette Sun and
Greg Hamilton, Relators*

v.

Baxter Healthcare Corporation

) Judge Patti B. Saris
)
)
)
)

**BAXTER HEALTHCARE CORPORATION'S CONSENTED
MOTION FOR LEAVE TO FILE A REPLY BRIEF
IN FURTHER SUPPORT OF ITS PARTIAL MOTION TO DISMISS**

Pursuant to Rule 7.1(b)(3) of the Local Rules for the District of Massachusetts,
Defendant Baxter Healthcare Corporation ("Baxter") seeks leave of the Court to file a Reply
Brief in Further Support of its Partial Motion to Dismiss. Counsel for Baxter has conferred with
counsel for Relators Sun and Hamilton, and they have consented to the Motion. The proposed
Reply Brief in Further Support of its Partial Motion to Dismiss is annexed hereto as Exhibit A.

Respectfully submitted,

Dated: August 19, 2011

/s/ Shamir Patel
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Counsel for Defendant Baxter Healthcare
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LOCAL RULE 7.1 CERTIFICATION

I certify that counsel for Baxter has conferred with counsel for Relators Sun and Hamilton, and they have consented to this Motion.

CERTIFICATE OF SERVICE

I hereby certify that I, Shamir Patel, an attorney, electronically filed the foregoing Motion for Leave to File a Reply in Further Support of Their Partial Motion to Dismiss with the Clerk of the Court for the District of Massachusetts using the Court's CM/ECF system on August 19, 2011. I also caused a true and correct copy of the foregoing document to be delivered to all counsel of record by electronic service via LexisNexis File & Serve, for posting and notification to all parties.

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